

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 237A.12, the Department of Human Services proposes to amend Chapter 110, “Child Development Homes,” Iowa Administrative Code.

These amendments update requirements for child development home providers as follows:

These amendments add a requirement that providers must document medication given to a child while the child is in the provider’s care.

Form 470-5152, Child Care Provider Physical Examination Report, is not an accurate document for examinations for minors in the household. These amendments allow for documentation of physical examinations for minors similar to the documentation for children residing in the child development home.

These amendments allow for a provider who is unable to access a copy of the provider’s GED or high school diploma to show verification of higher education participation.

Category “C” child development homes regularly operate with a provider and coprovider. There have been requests by child development home providers to allow for numerous coproviders. Child development homes, if allowed numerous coproviders, would more closely resemble child care centers, which have different licensing requirements. These amendments clarify that there shall be no more than two providers on a registration certificate for a child development home.

Any interested person may make written comments on the proposed amendments on or before February 24, 2015. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, Fifth Floor, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 237A.3A.

The following amendments are proposed.

ITEM 1. Amend paragraph **110.5(1)“d”** as follows:

d. Medications shall be given only with the parent’s or doctor’s written authorization. Each prescribed medication shall be accompanied by a physician’s or pharmacist’s direction. Both nonprescription and prescription medications shall be in the original container with directions intact and labeled with the child’s name. All medications shall be stored properly and, when refrigeration is required, shall be stored in a separate, covered container so as to prevent contamination of food or other medications. All medications shall be stored so they are inaccessible to children. Any medication administered to a child shall be recorded, and the record shall indicate the name of the medication, the date and time of administration, and the amount given.

ITEM 2. Amend paragraph **110.5(2)“a”** as follows:

a. A physical examination report. Providers and all members of a provider’s household shall have good health as evidenced by a preregistration physical examination. Acceptable physical examinations for persons 18 years of age and older shall be documented on Form 470-5152, Child Care Provider Physical Examination Report. The examination shall include any necessary testing for communicable diseases; shall include a discussion regarding current Advisory Committee on Immunization Practices

(ACIP)-recommended vaccinations; shall be performed within six months prior to registration by a licensed medical doctor, doctor of osteopathy, physician assistant or advanced registered nurse practitioner; and shall be repeated at least every three years. For minors in the household, a physical examination report signed by a licensed physician or designee in a clinic supervised by a licensed physician, an annual statement of health, and a signed and dated immunization certificate provided by the state department of public health are required.

ITEM 3. Amend paragraph **110.9(2)“b”** as follows:

b. The provider shall have a high school diploma, ~~or~~ GED, or documentation of current or previous enrollment in credit-based coursework from a postsecondary educational institution that is an accredited college or university.

ITEM 4. Amend subparagraph **110.10(2)“a”(2)** as follows:

(2) The provider shall have a high school diploma, ~~or~~ GED, or documentation of current or previous enrollment in credit-based coursework from a postsecondary educational institution that is an accredited college or university.

ITEM 5. Adopt the following **new** paragraph **110.10(2)“c”**:

c. No more than two named providers shall be allowed on a registration certificate.